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Report of the United Nations Commission on International Trade Law on the work of its thirty-fifth session

Draft resolution

Enlargement of the membership of the United Nations Commission on International Trade Law

The General Assembly,

Recalling its resolution 2205 (XXI) of 17 December 1966, by which it established the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade,

Recalling also its resolution 3108 (XXVIII) of 12 December 1973, by which it increased the membership of the Commission from twenty-nine to thirty-six States,

Being satisfied with the practice of the Commission to invite States not members of the Commission and relevant intergovernmental and international non-governmental organizations to participate as observers in sessions of the Commission and its working groups and to take part in the formulation of texts by the Commission, as well as with the practice of reaching decisions by consensus without a formal vote,

Observing that the considerable number of States that have participated as observers and made valuable contributions to the work of the Commission indicates that there exists an interest in active participation in the Commission beyond the current thirty-six member States,

Convinced that wider participation of States in the work of the United Nations Commission on International Trade Law would further the progress of the Commission's work and that the increase in membership in the Commission would stimulate interest in the work of the Commission,

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Having considered comments by States, as well as a report of the Secretary-General,[1] on the implications of increasing the membership of the Commission, submitted pursuant to paragraph 13 of General Assembly resolution 55/151 of 12 December 2000,[2]

1. *Takes note* that the impact of an increase in the membership of the Commission on the Secretariat services required to properly facilitate the work of the Commission would not be material enough to quantify and that therefore the increase would have no financial implications;

2. *Decides* to increase the membership of the United Nations Commission on International Trade Law from thirty-six to sixty States, bearing in mind that the Commission is a technical body whose composition reflects, inter alia, the specific requirements of the subject matter. The regional representation resulting from the current increase in membership, which takes those requirements into account, shall not be a precedent for the enlargement of other bodies in the United Nations system;

3. *Decides also* that the twenty-four additional members of the Commission shall be elected by the General Assembly for a term of six years, except as provided in subparagraph (b) below, in accordance with the following rules:

(a) In electing the additional members, the General Assembly shall observe the following distribution of seats:

(i) Five from African States;

(ii) Seven from Asian States;

(iii) Three from Eastern European States;

(iv) Four from Latin American and Caribbean States;

(v) Five from Western European and other States;

(b) Of the twenty-four additional members elected at the first election, to be held during the fifty-eighth session of the General Assembly, the term of thirteen members shall expire on the last day prior to the beginning of the fortieth session of the Commission, in 2007; the President of the General Assembly shall, by drawing lots, select these members as follows:

(i) Two from those elected from African States, two from those elected from Eastern European States and two from those elected from Western European and other States;

(ii) Four from those elected from Asian States;

(iii) Three from those elected from Latin American and Caribbean States;

(c) The twenty-four additional members elected at the first election shall take office from the first day of the thirty-seventh session of the Commission, in 2004;

(d) The provisions of section II, paragraphs 4 and 5, of General Assembly resolution 2205 (XXI) shall also apply to the additional members;

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[1] A/56/315.

[2] See *Official Records of the Fifty-sixth Session, Supplement No. 17* (A/56/17), para. 370.

4. *Appeals* to Governments, the relevant United Nations organs, organizations, institutions and individuals, in order to ensure full participation by the member States in the sessions of the Commission and its working groups, to consider making voluntary contributions to the Trust Fund established to provide travel assistance to developing countries that are members of the Commission, at their request, and in consultation with the Secretary General.